

# MARZEC LAW FIRM, P.C.

DARIUS A. MARZEC IS LICENSED TO PRACTICE LAW IN: NEW YORK  
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July 18, 2019

### VIA ECF SDNY

Honorable Lorna G. Schofield  
United States District Court for the Southern District of New York  
500 Pearl Street  
New York, New York 10007

**RE: WIESLAWA ZYWOLEWSKA V. DARIUS A. MARZEC  
and MARZEC LAW FIRM, P.C., Docket No.: 1:19-cv-01932 (LGS)**

Dear Honorable Judge Schfield:

I am distressed beyond measure to hear Mr. Wisniewski's request to the Court for a motion briefing schedule when the parties in fact agree to transfer venue to the United States District Court for the Eastern District of New York. Mr. Wisniewski refused to consider our basic and plain language offered by this office to prepare a stipulation regarding a request to change venue.

To conserve judicial resources, Defendants respectfully ask that this Court issue a transfer order *sua sponte* to the E.D.N.Y. Mr. Wisniewski's letter clearly states that all parties agree to the transfer of venue.

As a last-ditch effort to avoid any further unneeded controversy, I attach a proposed stipulation with innocuous language Defendants' are agreeable with, but Mr. Wisniewski refused to agree despite multiple telephone calls and emails.

Finally, I was not overruled by anyone else, but find Mr. Wisniewski's tactics to be inappropriate on such a routine proposed stipulation; a situation that should never waste this Court's time.

Sincerely,

/s/ Brian P. Galligan

Brian P. Galligan

BPG

CC: File

Robert W. Wisniewski, Esq. (via ECF)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
WIESLAWA ZYWOLEWSKA,

Plaintiff,

-against

DARIUS A. MARZEC and  
MARZEC LAW FIRM, P.C.,

Defendants.  
-----X

Docket No.: 1:19-cv-01932 (LGS)

**STIPULATION  
TO TRANSFER VENUE**

**IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned attorneys for Plaintiff Wieslawa Zywolewska ("Plaintiff") and Defendants Darius A. Marzec and Marzec Law Firm, P.C. ("Defendants") as follows:

WHEREAS, Plaintiff filed the instant action (the "Action") on February 28, 2019 in this district; and

WHEREAS, Defendants requested to file a motion to dismiss the Action, among other grounds, for lack of venue or to move it to a more appropriate venue; and

WHEREAS the parties consent to transfer the Action to the United States District Court for the Eastern District of New York;

WHEREAS, Defendants reserve and do not waive any of their rights and remedies in all respects in any litigation in this matter in any forum in which the Parties may appear;

**NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED** by the undersigned counsel for the parties that pursuant to 28 U.S.C. §1404(a) this Action be, and it hereby is, transferred to the United States District Court for the Eastern District of New York, and the Clerk of the Court is directed to effectuate the transfer pursuant to the Local Rule 83.1 of this Court.

**IT IS FURTHER HEREBY STIPULATED AND AGREED**, that this Stipulation may be signed using facsimile, pdf, e-mail, copies or other electronic or reproduced signatures, each of which shall be deemed an original signature for all purposes including filing with the Court and fully binding upon the parties to the above-captioned action.

Dated: July 18, 2019

**ROBERT WISNIEWSKI, P.C.**

By: \_\_\_\_\_

Robert Wisniewski, Esq.  
Attorneys for Plaintiff  
225 Broadway, Suite 1020  
New York, New York 10007

**MARZEC LAW FIRM, P.C.**

By: \_\_\_\_\_

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